



**Meeting Minutes for September 24, 2019 at 5:30 PM, Carver Town Hall, Room 3**

This meeting was videotaped for cable cast area 58, channel 15.

Attendees: William Sinclair, Chairman; Johanna Leighton; Brian Abatiello; Sharon Clarke

Also in attendance: Jim Walsh, Planning Director; Michael Milanoski, Town Administrator

Absent: Savery Moore

Meeting opened by Mr. Sinclair at 5:30 PM

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**Vote on an Order of Taking to acquire a temporary easement for access, inspection and assessment of property located at 18 Montello Street, Map 22-3-1-R, Carver, MA.**

Mr. Sinclair read the notice into record. It was noted that the property owner, David Borofski is in attendance tonight.

Mr. Sinclair read the Commonwealth of Massachusetts, Order of Taking into record.

*I move that the Board vote to approve and execute the Order of Taking for 30 days to access, inspect and assess property located at 18 Montello Street, to award damages to the owner of said property in the amount of \$880.00 and to authorize counsel to record the Order of taking with the Plymouth*

*Registry of Deeds: Mr. Abatiello*

*Second: Ms. Clarke*

**Discussion:**

Ms. Clarke – Do we have any idea as to the scope of work? Mr. Sinclair – It's stated broadly in the letter. Mr. Milanoski – The purpose is for the appraisal value. They need to be able to get on the property to assess the land, as needed. If there were some issues, they would be considered into the value. Ms. Clarke – Any EPA testing? Mr. Milanoski – Yes, to some extent. Ms. Leighton – 7 Acres; Carver Redevelopment Authority 9/24/19

does someone live on the property? Mr. Milanoski – No, the property is used to store equipment. Mr. Abatiello – Would it be 30 days from today? Mr. Milanoski – No, after it's recorded and people are lined up to go forward; thirty days from recording date. Mr. Sinclair – I ask that anyone going out to the property give Mr. Borofski 24 hours notice. Mr. Milanoski – I will make sure that is incorporated. Mr. Borofski – What would the hours be? Mr. Milanoski – It should be normal Monday – Friday working hours. Mr. Sinclair – Do you have any input, Mr. Borofski? Mr. Borofski – I was just concerned with hours and I need to know where holes are being dug. I can move anything that might need to be moved. Mr. Milanoski – We have to put everything back where it was; if we dig soil, we have to put it back. At the end of the 30 days, it should appear as though nothing has been done. Mr. Sinclair – Anything else you might think of, Mr. Borofski, you can reach out to Jim, our Executive Director. Mr. Milanoski – I don't see anything beginning, this week.

*Approved: Unanimous 4-0*

*Ms. Leighton – The multiple appraisals will happen within that 30 days? Mr. Milanoski – Yes.*

*Motion to adjourn at 5:45 PM: Ms. Clarke*

*Second: Mr. Abatiello*

*Approved: Unanimous (4-0)*

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

TOWN OF CARVER

ORDER OF TAKING

At a regularly convened meeting of the Board of the Carver Redevelopment Authority held the 24th day of September, 2019, it was voted and ordered:

The Board of the Carver Redevelopment Authority (the "Authority"), duly authorized, qualified, and acting as such, on behalf of the Authority and by virtue of and in accordance with the authority of the provisions of Chapter 121B, Section 11(d); Chapter 121B, Section 46(f) and Chapter 79 of the General Laws and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the Authority, a temporary easement interest for the purposes set forth below in the following parcel of land located in Carver, Massachusetts (the "Property"):

A temporary easement upon the Property, for a period not to exceed thirty (30) days from the commencement of work at the Property (the "Work") (excluding any time Work at the Property is interrupted through a cause or for a reason not under the control of the Authority), as further described below. The easement rights shall expire if the Work is not commenced within one (1) year from the date of the recording of this Order of Taking.

Said Property is owned or supposed to be owned and/or formerly owned by the following:

<u>Owner:</u>	David C. Borofski
<u>Property Address:</u>	18 Montello Street, Carver, Massachusetts
<u>Title Reference:</u>	Plymouth County Registry of Deeds, Book 21323, Page 181 Assessor's Map 22-3-1-R

Purpose of Easement: The purpose of the easement is for access and egress, by foot or vehicle, including heavy vehicles, in, over, under, through, across the Property for the purpose of: (a) conducting inspections and assessments, including, but not limited to, excavating, boring, digging, extracting, testing and assessing materials, specimens and/or samples at test pits on the Property, if any, to determine the nature and extent of any environmental matters that might adversely affect the Authority's future ability to construct, permit and operate redevelopment thereon, said inspections and assessments not to include any necessary or required remediation of the Property; (b) surveying and visual inspections of the Property; and (c) bringing equipment upon the Property for such

purposes, including placement and storage of equipment, earth and other materials used in and/or produced by said inspections and assessments.

The amount awarded as damages sustained by the Owner or Owners of said property in accordance with the provisions of M.G.L. Chapter 79, Section 6, and to any other person or corporation having an interest therein is set forth on the attached Exhibit A, which is incorporated herein by reference.

No betterments are to be assessed under this taking.

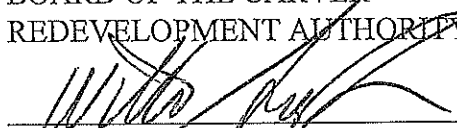
If in any instance the name of any Owner is not correctly stated, the names of the supposed Owners being given as of this Order of Taking, it is understood that in such instance the land referred to is owned by an Owner or Owners unknown to us.

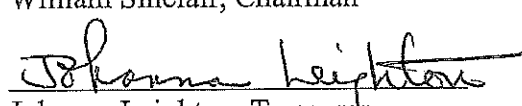
Structures and facilities so located that are owned by private utility companies and easements held by private utility companies are not taken.

[Signature Page Follows]

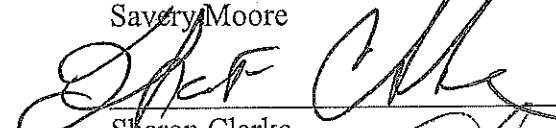
IN WITNESS WHEREOF, we, the duly authorized and qualified members of the Board of the Carver Redevelopment Authority have hereunto set our hands and seals this 24th day of September, 2019.

BOARD OF THE CARVER  
REDEVELOPMENT AUTHORITY

  
William Sinclair, Chairman

  
Johanna Leighton, Treasurer

  
Savery Moore

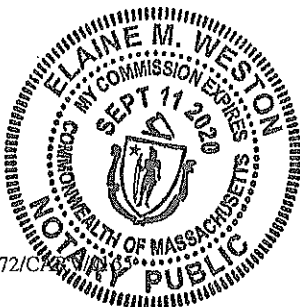
  
Sharon Clarke

  
Brian Abatiello

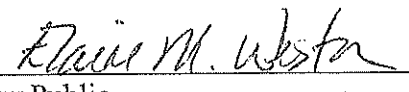
COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

On this 24th day of September, 2019, before me, the undersigned notary public, personally appeared Johanna Leighton, William Sinclair, Brian Abatiello, Member of the Carver Redevelopment Authority, proved to me through satisfactory evidence of identification, which was Personally Known, and acknowledged to me the foregoing instrument was his/her free act and deed and that he/she signed it voluntarily for its stated purpose on behalf of the Carver Redevelopment Authority.



699072/CPS

  
Notary Public  
My Commission Expires: 9/11/2020

**Notice of a Meeting of the  
Carver Redevelopment Authority  
Relative to the Taking of a Temporary Easement  
At 18 Montello Street, Carver**

Please be advised that the Board of the Carver Redevelopment Authority will hold a meeting at 5:30 p.m. on **September 24, 2019**, at Town Hall Room #3, Carver, Massachusetts, pursuant to the authority of the provisions of Chapter 121B, Section 11(d); Chapter 121B, Section 46(f) and Chapter 79 of the General Laws to consider the acquisition, by eminent domain, of a temporary easement for the purpose of access to and conducting inspections and assessments at property located at 18 Montello Street, Carver, described in a deed recorded with the Plymouth Registry of Deeds in Book 21323, Page 181 (Assessor's Map 22-3-1-R)

Carver Redevelopment Authority